

HOUSE BILL 1204

Q8

11r2787
CF 11r2722

By: **Delegate Cane**

Introduced and read first time: February 17, 2011

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Dorchester County – Electric Transmission Privilege Tax**

3 FOR the purpose of authorizing the County Council of Dorchester County to impose a
4 tax on the privilege of engaging in the transmission of electricity in the county
5 using certain long distance, extra–high voltage electric transmission lines;
6 providing that the tax is the product of multiplying the miles of certain electric
7 transmission lines and a certain base rate and the voltage carrying capacity of
8 certain electric transmission lines; authorizing the county council, by ordinance,
9 to set the base rate; providing that the base rate may not exceed a certain
10 amount; providing for the use of the net proceeds of the tax; defining certain
11 terms; and generally relating to a tax on the privilege of engaging in the
12 transmission of electricity in Dorchester County.

13 BY adding to

14 Article 24 – Political Subdivisions – Miscellaneous Provisions
15 Section 9–1601 through 9–1604 to be under the new subtitle “Subtitle 16.
16 Dorchester County – Electric Transmission Privilege Tax”
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2010 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

22 **SUBTITLE 16. DORCHESTER COUNTY – ELECTRIC TRANSMISSION PRIVILEGE**
23 **TAX.**

24 **9–1601.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (B) (1) "LONG DISTANCE, EXTRA-HIGH VOLTAGE ELECTRIC
4 TRANSMISSION LINE" MEANS A SERIES OF TOWERS, WIRES, ELECTRICAL
5 SUBSTATIONS, AND OTHER TRANSMISSION-RELATED EQUIPMENT LOCATED
6 ABOVE GROUND THAT:

7 (I) IS CONSTRUCTED BY A PUBLIC UTILITY OR OTHER
8 PERSON;

9 (II) HAS A VOLTAGE CARRYING CAPACITY IN EXCESS OF 230
10 KILOVOLTS; AND

11 (III) IS DESIGNED AND CONSTRUCTED TO TRANSMIT
12 ELECTRICITY OVER AT LEAST 5 MILES.

13 (2) "LONG DISTANCE, EXTRA-HIGH VOLTAGE ELECTRIC
14 TRANSMISSION LINE" INCLUDES ELECTRICAL SUBSTATIONS LOCATED WITHIN
15 THE STATE.

16 (C) "TRANSMISSION OF ELECTRICITY" MEANS THE ACT OR PROCESS OF
17 CAUSING ELECTRICITY TO PASS OR BE CONVEYED FROM ONE GEOGRAPHICAL
18 LOCATION TO ANOTHER GEOGRAPHICAL LOCATION THROUGH AN ELECTRIC
19 TRANSMISSION LINE.

20 (D) "VOLTAGE CARRYING CAPACITY" MEANS THE RATED VOLTAGE
21 CAPACITY OF AN ELECTRIC TRANSMISSION LINE EXPRESSED IN KILOVOLTS.

22 **9-1602.**

23 THE COUNTY COUNCIL OF DORCHESTER COUNTY, BY ORDINANCE, MAY
24 IMPOSE A PRIVILEGE TAX ON A PUBLIC UTILITY OR OTHER PERSON ENGAGED IN
25 THE TRANSMISSION OF ELECTRICITY FOR SALE, PROFIT, OR COMMERCIAL USE
26 THROUGH THE COUNTY USING LONG DISTANCE, EXTRA-HIGH VOLTAGE
27 ELECTRIC TRANSMISSION LINES.

28 **9-1603.**

29 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE TAX
30 AUTHORIZED UNDER THIS SUBTITLE SHALL BE THE PRODUCT OF MULTIPLYING:

1 **(1) THE PRODUCT OF MULTIPLYING THE MILES OF LONG**
2 **DISTANCE, EXTRA-HIGH VOLTAGE ELECTRIC TRANSMISSION LINES IN SERVICE**
3 **IN THE COUNTY DURING THE TAX YEAR AND THE BASE RATE; AND**

4 **(2) THE VOLTAGE CARRYING CAPACITY OF THE LONG DISTANCE,**
5 **EXTRA-HIGH VOLTAGE ELECTRIC TRANSMISSION LINE.**

6 **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
7 **COUNTY COUNCIL OF DORCHESTER COUNTY, BY ORDINANCE, SHALL SET THE**
8 **BASE RATE.**

9 **(2) THE BASE RATE MAY NOT EXCEED \$750.**

10 **9-1604.**

11 **THE NET PROCEEDS OF THE TAX AUTHORIZED UNDER THIS SUBTITLE**
12 **SHALL BE USED AS FOLLOWS:**

13 **(1) ONE-THIRD FOR THE USE AND BENEFIT OF ELECTRIC**
14 **RATEPAYERS IN THE COUNTY IMPACTED BY THE CONSTRUCTION OF LONG**
15 **DISTANCE, EXTRA-HIGH VOLTAGE ELECTRIC TRANSMISSION LINES AS**
16 **DETERMINED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY;**

17 **(2) ONE-THIRD FOR THE USE AND BENEFIT OF PROGRAMS AND**
18 **SERVICES THAT PRESERVE, IMPROVE, AND MANAGE THE QUALITY OF AIR, LAND,**
19 **WATER, AND NATURAL RESOURCES OF THE COUNTY; AND**

20 **(3) ONE-THIRD FOR THE USE AND BENEFIT OF TOURISM AND**
21 **ECONOMIC DEVELOPMENT PROGRAMS AND SERVICES THAT FACILITATE THE**
22 **ATTRACTION, CREATION, EXPANSION, AND RETENTION OF BUSINESSES AND**
23 **JOBS IN THE COUNTY.**

24 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
25 **July 1, 2011.**